

Notice of Allowability

Application No.

10/691,558

Examiner

Akiba K. Robinson-Boyce

Applicant(s)

WATARAI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 9/14/05.
2. ☒ The allowed claim(s) is/are 1 and 4-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 1, and 4-8 are allowed.
2. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.
3. The following is an examiner's statement of reasons for allowance. None of the prior art of record either individually or in combination teach the following:
 - a first analytical matrix, in which are plotted said targets of evaluation after being ranked and assigned symbols according to a ranking classification, and in which said matrix the vertical axis represents the purchase amount per customer as tabulated and recorded by said average-customer-equity tabulating means, and the horizontal axis represents the total number of customers as tabulated and recorded by said total-customer-equity tabulating means.
 - a second analytical matrix, in which the sales-improvement ratios of said targets of evaluation are classified into rankings of the targets of evaluation in terms of ratios of increase, stability, and decrease of sales before and after an evaluation period, and in which symbols are plotted according to rankings, and wherein the horizontal axis represents the ratio of retained customers, who are repeat customers as tabulated and recorded by said means of tabulating the customer-stability ratio, while the vertical axis represents the ratios of the number of new customers and their purchase amounts to

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the number of ex-customers and their purchase amounts as tabulated and recorded by said customer-equity growth-ratio tabulating means.

The present invention discloses a system for evaluating a company's customer equity. The first allowable feature of having a first analytical matrix, in which are plotted said targets of evaluation after being ranked and assigned symbols according to a ranking classification, and in which said matrix the vertical axis represents the purchase amount per customer as tabulated and recorded by said average-customer-equity tabulating means, and the horizontal axis represents the total number of customers as tabulated and recorded by said total-customer-equity tabulating means is not disclosed by any prior art reference. The closest prior art, Anderson (US 6,064,985) shows an automated portfolio management system and method that manages data in a database, and populates the database with data feed off the Internet. The next closest prior art, Thomas (3,865,380) discloses a stock market game where each trader has his own symbol for indicating his position on the game board and each trader must keep a record of his stock transactions to show his current operating capital. The next closest prior art, Horowitz (US 6,349,290) discloses an automated system and method for presenting both interactive and proactive customized and personalized advice for a customer by a financial institution based on a customer profile generated by the system. Newly cited art, Harts et al discloses an automated system for matching customer equity buy and sell orders. The next newly cited art, Hakim et al discloses an automatic customer earned equity stock calculating method. The next newly cited art, Anderson et al discloses modeling customer satisfaction based on factors such as the satisfaction

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profit chain. The next newly cited art, Arzac discloses the use of equity derivatives and thereby developing an equilibrium model to assist a bidder in making decisions to allow the purchase equity derivatives. However, neither Anderson, Thomas, Horowitz et al, Harts et al, Hakim et al, Anderson et al, nor Arzac disclose the feature of having a first analytical matrix, in which are plotted said targets of evaluation after being ranked and assigned symbols according to a ranking classification, and in which said matrix the vertical axis represents the purchase amount per customer as tabulated and recorded by said average-customer-equity tabulating means, and the horizontal axis represents the total number of customers as tabulated and recorded by said total-customer-equity tabulating means. This distinct feature has been added to independent claim 1, and renders it, and all claims that depend from it (claims 4-8) allowable.

The second allowable feature of a second analytical matrix, in which the sales-improvement ratios of said targets of evaluation are classified into rankings of the targets of evaluation in terms of ratios of increase, stability, and decrease of sales before and after an evaluation period, and in which symbols are plotted according to rankings, and wherein the horizontal axis represents the ratio of retained customers, who are repeat customers as tabulated and recorded by said means of tabulating the customer-stability ratio, while the vertical axis represents the ratios of the number of new customers and their purchase amounts to the number of ex-customers and their purchase amounts as tabulated and recorded by said customer-equity growth-ratio tabulating means. The closest prior art, Anderson (US 6,064,985) shows an automated portfolio management system and method that manages data in a database, and

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populates the database with data feed off the Internet. The next closest prior art, Thomas (3,865,380) discloses a stock market game where each trader has his own symbol for indicating his position on the game board and each trader must keep a record of his stock transactions to show his current operating capital. The next closest prior art, Horowitz (US 6,349,290) discloses an automated system and method for presenting both interactive and proactive customized and personalized advice for a customer by a financial institution based on a customer profile generated by the system. Newly cited art, Harts et al discloses an automated system for matching customer equity buy and sell orders. The next newly cited art, Hakim et al discloses an automatic customer earned equity stock calculating method. The next newly cited art, Anderson et al discloses modeling customer satisfaction based on factors such as the satisfaction profit chain. The next newly cited art, Arzac discloses the use of equity derivatives and thereby developing an equilibrium model to assist a bidder in making decisions to allow the purchase equity derivatives. However, neither Anderson, Thomas, Horowitz et al, Harts et al, Hakim et al, Anderson et al, nor Arzac disclose the feature of a second analytical matrix, in which the sales-improvement ratios of said targets of evaluation are classified into rankings of the targets of evaluation in terms of ratios of increase, stability, and decrease of sales before and after an evaluation period, and in which symbols are plotted according to rankings, and wherein the horizontal axis represents the ratio of retained customers, who are repeat customers as tabulated and recorded by said means of tabulating the customer-stability ratio, while the vertical axis represents the ratios of the number of new customers and their purchase amounts to the number of

ex-customers and their purchase amounts as tabulated and recorded by said customer-equity growth-ratio tabulating means. This distinct feature has been added to independent claim 1, and renders it, and all claims that depend from it (claims 4-8) allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is

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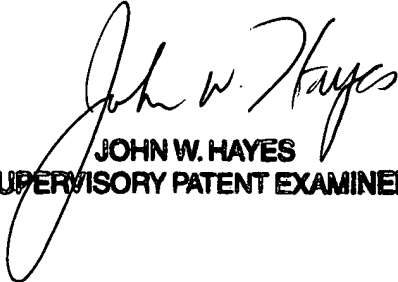
571-272-6734. The examiner can normally be reached on Monday-Tuesday 8:30am-5pm, and Wednesday, 8:30 am-12:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
November 17, 2005



JOHN W. HAYES
SUPERVISORY PATENT EXAMINER